

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

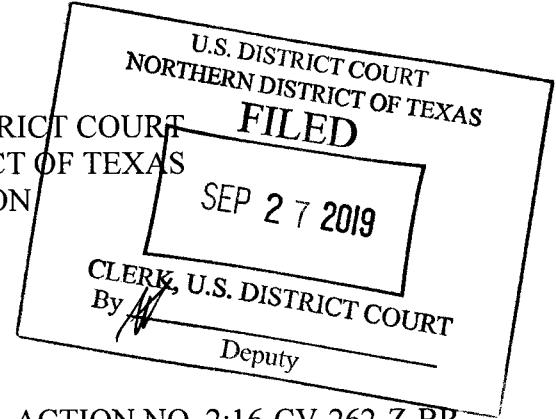
NATHANIEL KEITH STRATTON,

Plaintiff,

v.

DOUGLAS R. WOODBURN,

Defendant.



CIVIL ACTION NO. 2:16-CV-262-Z-BR

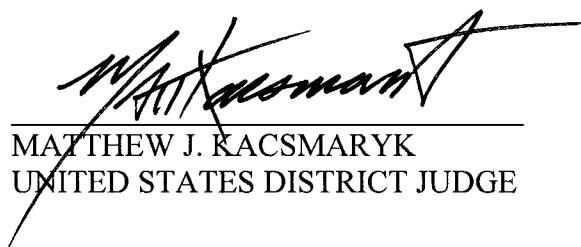
**ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS AND
DISMISSING PLAINTIFF'S COMPLAINT**

On July 17, 2019, the United States Magistrate Judge entered findings and conclusions to dismiss Plaintiff's complaint. ECF No. 18. The Magistrate Judge RECOMMENDS that the complaint be DISMISSED with prejudice as frivolous. No objections to the findings, conclusions, and recommendation have been filed. After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the Court concludes that the findings and conclusions are correct. Defendant is entitled to complete judicial immunity from suit based on the allegations in Plaintiff's complaint. Namely, the Defendant was a state court judge during the relevant time, and the four factors articulated by the U.S. Court of Appeals for the Fifth Circuit in *McAlester v. Brown*—for determining whether an act is “judicial”—confirm that immunity is proper. 469 F.2d 1280, 1282 (5th Cir. 1972); *see also, Adams v. McIlhany*, 764 F.2d 294, 297 (5th Cir. 1985) (“Absolute judicial immunity extends to all judicial acts which are not performed in the clear absence of all jurisdiction.”).

It is therefore ORDERED that the findings, conclusions, and recommendation of the Magistrate Judge are ADOPTED. Plaintiff's complaint is DISMISSED with prejudice as frivolous.

This counts as a strike pursuant to Title 28, United States Code, section 1915(g).

SIGNED September 27, 2019.


MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE